



# PUBLIC NOTICE

**Federal Communications Commission**  
**445 12<sup>th</sup> St., S.W.**  
**Washington, D.C. 20554**

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**DA 09-2185**  
**Released: October 7, 2009**

**DOMESTIC SECTION 214 APPLICATION FILED FOR THE TRANSFER OF CONTROL  
OF MILLER TELEPHONE COMPANY TO  
WINNEBAGO COOPERATIVE TELECOM ASSOCIATION**

**NON-STREAMLINED PLEADING CYCLE ESTABLISHED**

**WC Docket No. 09-174**

**Comments Due: October 21, 2009**  
**Reply Comments Due: October 28, 2009**

On September 25, 2009, Miller Telephone Company (Miller) and Winnebago Cooperative Telecom Association (WCTA) (collectively Applicants) filed an application pursuant to sections 63.03 and 63.04 of the Commission's rules<sup>1</sup> to transfer control of Miller to WCTA.

Miller, an Iowa corporation, is a rural incumbent local exchange carrier (LEC) serving 86 access lines in the Miller exchange in Hancock County in northern Iowa. Applicants state that Miller has 125 shareholders and that no person or entity owns 10 percent or more of the equity of the company. WCTA is an Iowa cooperative corporation in which no individual or entity owns 10 percent or more of the equity of the company. It is a rural incumbent LEC serving 20 exchanges in northern Iowa and southern Minnesota. Applicants state that the Miller exchange is adjacent to WCTA's Forest City exchange in Iowa. Pursuant to the terms of the proposed transaction, WCTA will acquire all the outstanding stock of Miller, Miller will be dissolved, and its existing customers will become members of WCTA. Because of the adjacent service areas the Applicants have identified, this application is not entitled to presumptive streamlined treatment under section 63.03(b) of the Commission's rules.<sup>2</sup>

Applicants state that a grant of this application will serve the public interest, convenience, and necessity because WCTA has the resources and capacity to serve Miller's rural customers, who will gain the rights as cooperative members of WCTA, including voting for the board of directors and eligibility for capital credits that may be allocated.

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<sup>1</sup> 47 C.F.R. §§63.03, 63.04; *see* 47 U.S.C. § 214. Applicants filed a supplement to their domestic section 214 application on October 10, 2009.

<sup>2</sup> 47 C.F.R. § 63.03(b).

## **GENERAL INFORMATION**

The transfer of control identified herein has been found, upon initial review, to be acceptable for filing as a non-streamlined application. The Commission reserves the right to return any transfer of control application if, upon further examination, it is determined to be defective and not in conformance with the Commission's rules and policies. Pursuant to section 63.03(a) of the Commission's rules, 47 CFR § 63.03(a), interested parties may file comments **on or before October 21, 2009** and reply comments **on or before October 28, 2009**. Comments may be filed using: (1) the Commission's Electronic Comment Filing System (ECFS), (2) the Federal Government's e-Rulemaking Portal, or (3) by filing paper copies. *See Electronic Filing of Documents in Rulemaking Proceedings*, 63 FR 24121 (1998).

- **Electronic Filers:** Comments may be filed electronically using the Internet by accessing the ECFS: <http://www.fcc.gov/cgb/ecfs/> or the Federal e-Rulemaking Portal: <http://www.regulations.gov>. Filers should follow the instructions provided on the website for submitting comments.
- **For ECFS filers,** if multiple docket or rulemaking numbers appear in the caption of this proceeding, filers must transmit one electronic copy of the comments for each docket or rulemaking number referenced in the caption. In completing the transmittal screen, filers should include their full name, U.S. Postal Service mailing address, and the applicable docket or rulemaking number. Parties may also submit an electronic comment by Internet e-mail. To get filing instructions, filers should send an e-mail to [ecfs@fcc.gov](mailto:ecfs@fcc.gov), and include the following words in the body of the message, "get form." A sample form and directions will be sent in response.
- **Paper Filers:** Parties who choose to file by paper must file an original and four copies of each filing. If more than one docket or rulemaking number appears in the caption of this proceeding, filers must submit two additional copies for each additional docket or rulemaking number.

Filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail. All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission.

The Commission's contractor will receive hand-delivered or messenger-delivered paper filings for the Commission's Secretary at 236 Massachusetts Avenue, N.E., Suite 110, Washington, D.C. 20002. The filing hours at this location are 8:00 a.m. to 7:00 p.m. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes must be disposed of before entering the building. Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9300 East Hampton Drive, Capitol Heights, MD 20743. U.S. Postal Service first-class, Express, and Priority mail should be addressed to 445 12th Street, S.W., Washington D.C. 20554.

**People with Disabilities:** To request materials in accessible formats for people with disabilities (braille, large print, electronic files, audio format), send an e-mail to [fcc504@fcc.gov](mailto:fcc504@fcc.gov) or call the Consumer & Governmental Affairs Bureau at (202) 418-0530 (voice), (202) 418-0432 (tty).

**In addition, one copy of each pleading must be sent to each of the following:**

- 1) The Commission's duplicating contractor, Best Copy and Printing, Inc., 445 12th Street, S.W., Room CY-B402, Washington, D.C. 20554, [www.bcpweb.com](http://www.bcpweb.com); phone: (202) 488-5300 fax: (202) 488-5563;
- 2) Tracey Wilson-Parker, Competition Policy Division, Wireline Competition Bureau, 445 12th Street, S.W., Room 5-A103, Washington, D.C. 20554; e-mail: [tracey.wilson-parker@fcc.gov](mailto:tracey.wilson-parker@fcc.gov);

- 3) Jodie May, Competition Policy Division, Wireline Competition Bureau, 445 12th Street, S.W., Room 5-C234, Washington, D.C. 20554; e-mail: [jodie.may@fcc.gov](mailto:jodie.may@fcc.gov);
- 4) David Krech, Policy Division, International Bureau, 445 12th Street, S.W., Room 7-A664 Washington, D.C. 20554; e-mail: [david.krech@fcc.gov](mailto:david.krech@fcc.gov); and
- 5) Jim Bird, Office of General Counsel, 445 12th Street, S.W., Room 8-C824, Washington, D.C. 20554; e-mail: [jim.bird@fcc.gov](mailto:jim.bird@fcc.gov).

Filings and comments are also available for public inspection and copying during regular business hours at the FCC Reference Information Center, Portals II, 445 12th Street, S.W., Room CY-A257, Washington, D.C. 20554. They may also be purchased from the Commission's duplicating contractor, Best Copy and Printing, Inc., Portals II, 445 12th Street, S.W., Room CY-B402, Washington, D.C. 20554, telephone: (202) 488-5300, fax: (202) 488-5563, or via e-mail [www.bcpweb.com](http://www.bcpweb.com).

For further information, please contact Tracey Wilson-Parker at (202) 418-1394, or Jodie May at (202) 418-0913.

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